

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION**

WILMA HUTTON PLAINTIFF

vs. Civil Action No. 3:06-cv-481 HTW-LRA

THE KROGER COMPANY DEFENDANT

ORDER OF DISMISSAL

Previously before the court there was presented the motion of the defendant to dismiss. Rule 8 of the Uniform Local Rules for the United States District Court for the Northern and Southern Districts of Mississippi clearly sets forth that a brief in response to a motion and memorandum of authorities shall be submitted to the court within ten (10) days after service of the movant's memorandum and that failure to comply "may result in the imposition of appropriate sanctions." This court directed the plaintiff to respond to the motion to dismiss or request additional time in which to respond not later than November 9, 2007. The plaintiff has not responded as directed. Therefore, this case is hereby dismissed.

SO ORDERED this the 30th day of November, 2007.

**s/ HENRY T. WINGATE
CHIEF UNITED STATES DISTRICT JUDGE**